

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Andrew S. Van Luchene et al.)
 For: METHOD AND APPARATUS FOR) Customer No.: 22927
 CONDITIONAL PAYMENT)
 TO A SELLER) Examiner: Not Yet Assigned
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)
 Serial No.: Not Yet Assigned) Group Art Unit: Not Yet
) Assigned
)
 Filing Date: March 28, 2000) Docket No.: 99-086



Assistant Commissioner for Patents
 Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants submit herewith patents, publications or other information of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a thorough search has been made; an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. Nor shall the filing of this information disclosure statement be construed as an admission against interest in any manner.

This Information Disclosure Statement is filed in accordance with 37 C.F.R. §§1.56, 1.97 and 1.98. The items listed below and on the accompanying Form PTO-1449 may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider these items and to independently ascertain their teaching.

- A. U.S. Patent No. 4,700,055 entitled "MULTIPLE CREDIT CARD SYSTEM" issued to Arsen Kashkashian, Jr. on October 13, 1987.
- B. U.S. Patent No. 4,718,009 entitled "DEFAULT PROOF CREDIT CARD METHOD SYSTEM" issued to Vincent Cuervo on January 5, 1988.
- C. U.S. Patent No. 5,025,138 entitled "METHOD AND SYSTEM FOR PROVIDING VERIFIABLE LINE OF CREDIT INFORMATION" issued to Vincent Cuervo on June 18, 1991.
- D. U. S. Patent No. 5,477,040 entitled "STRUCTURE FOR A METHOD OF FACILITATING CHARGE TRANSACTIONS" issued to Michael G. Lalonde on December 19, 1995.
- E. U.S. Patent No. 5,583,760 entitled "SYSTEM FOR ESTABLISHING AND ADMINISTERING FUNDED AND POST-FUNDED CHARGE ACCOUNTS" issued to Richard C. Klesse on December 10, 1996.
- F. U.S. Patent No. 5,689,100 entitled "DEBIT CARD SYSTEM AND METHOD FOR IMPLEMENTING INCENTIVE AWARD PROGRAM" issued to Carrithers et al. on November 18, 1997.
- G. U.S. Patent No. 5,724,523 entitled "ELECTRONIC INCOME TAX REFUND SYSTEM UTILIZING THE TAX REFUND TO UNDERWRITE ISSUANCE OF A SECURED CREDIT CARD" issued to Ross N. Longfield on March 3, 1998.
- H. U. S. Patent Application No. 09/098,481 entitled "METHOD AND APPARATUS FOR PROCESSING A CHARGE APPLIED TO A FINANCIAL ACCOUNT", Mik et al. filed June 16, 1998.
- I. U.S. Patent No. 5,870,721 entitled "SYSTEM AND METHOD FOR REAL TIME LOAN APPROVAL" issued to Jeffrey A. Norris on February 9, 1999.
- J. U.S. Patent No. 5,878,141 entitled "COMPUTERIZED PURCHASING SYSTEM AND METHOD FOR MEDIATING PURCHASE TRANSACTIONS OVER AN INTERACTIVE NETWORK" issued to Daly et al. on March 2, 1999.
- K. U.S. Patent No. 5,878,403 entitled "COMPUTER IMPLEMENTED AUTOMATED CREDIT APPLICATION ANALYSIS AND DECISION ROUTING SYSTEM" issued to DeFrancesco et al. on March 2, 1999.
- L. Humberto Cruz, "CHECKS ARE IN THE MAIL, BUT BEWARE; CREDIT COMPANY'S LETTER PROMISES MONEY, BUT NEGLECTS TO MENTION HIGH INTEREST RATE", Chicago Tribune, Section: Your Money; pg. 11; Zone C; Savings, Thursday November 25, 1993 North Sports Final Edition.

M. Tim Deady, "CHEETAH RACES FOR SOFTWARE SALE; BOBBY DARROLL'S COMPANY CREATES SYSTEMS TO HELP THE RETAIL WORLD WORK BETTER; CHEETAH SOFTWARE SYSTEMS", Los Angeles Business Journal, Section: Vol. 16; No. 37; Pg. 1; ISSN: 0194-2603, September 19, 1994.

N. U. S. Patent Application No. 09/274,281 entitled "METHOD AND APPARATUS FOR PROVIDING CROSS-BENEFITS VIA A CENTRAL AUTHORITY", Walker et al. filed March 22, 1999.

O. U.S. Patent No. 5,893,080 entitled "DISBURSEMENT SYSTEM AND METHOD" issued to McGurl et al. on April 6, 1999.

P. U.S. Patent No. 5,923,016 entitled "IN-STORE POINTS REDEMPTION SYSTEM & METHOD" issued to Fredregill et al. on July 13, 1999.

Q. U.S. Patent No. 5,934,439 entitled "AUTOMATIC COMMERCIAL ARTICLE RENTING SYSTEM" issued to Kanoh et al. August 10, 1999.

R. U.S. Patent No. 5,945,653 entitled "SYSTEM AND METHOD FOR ESTABLISHING AND EXECUTING FUNCTIONS TO AFFECT CREDIT CARD ACCOUNTS AND TRANSACTIONS" issued to Walker et al. on August 31, 1999.

R1.U.S. Patent No. 5,950,179 entitled "METHOD AND SYSTEM FOR ISSUING A SECURED CREDIT CARD" issued to Buchanan et al. on September 7, 1999.

R2.U.S. Patent No. 5,949,044 entitled "METHOD AND APPARATUS FOR FUNDS AND CREDIT LINE TRANSFERS" issued to Walker et al. on September 7, 1999.

S. Dana Phillips, "HE WON'T GIVE UP ON CREDIT CARD PLAN", South Florida Business Journal, Section: Vol. 15; No. 17; Sec A; pg3, December 16, 1994.

T. "BENEFICIAL NATIONAL BANK USA AND BJ'S WHOLESALE CLUB LAUNCH FIRST CO-BRANDED CREDIT CARD", Business Wire, Tuesday August 15, 1995.

U. "SEARS ROEBUCK IT TESTING A CHARGE CARD BASED ON THE AUTOMATED CLEARING HOUSE WITH LOW-INCOME AND POOR CREDIT-HISTORY CUSTOMERS", Card Fax; Section: Vol. 96, No. 6; Pg. 1, January 8, 1996.

V. Patricia A. Murphy, "BOSCOV'S CONVERTS CHECKWRITERS TO CARDHOLDERS", National Retail Merchants Association Stores; Section: Vol. 78; No. 6; Pg. 62-63; ISSN: 0039-1867; CODEN: SECJAR, June 1996.

W. Gregory J. Gilligan, "CREDIT CARDS FROM RETAIL STORES A MIXED BLESSING FOR SHOPPERS", The Richmond Times Dispatch, Section: Business, Pg. E-1, Sunday July 20, 1997 City Edition.

X. Laura Spinale, "FINANCERS JOCKEY FOR RETAIL", Dealerscope Consumer Electronics Marketplace, Section: Vol. 39, No. 8, Pg. 22-23; ISSN:1087-1055;CODEN: BUAMDM, August 1997.

Y. "KMART PUTS CREDIT CARD APPLICATIONS ONLINE; BRIEF ARTICLE", Daily News Record, Section: No. 103, Vol. 27; pg. 10; ISSN: 1041-1119, August 27, 1997.

Z. "BEST BUY AND BENEFICIAL NATIONAL BANK USA LAUNCH INTERACTIVE CREDIT APPLICATION", Business Wire, Tuesday October 7, 1997.

AA."DEFAULT PROOF CREDIT CARD SYSTEM INC. ANNOUNCES FAVORABLE OFFICE ACTION FOR DEBIT CARD ATM DISPENSER", Business Wire, Wednesday June 24, 1998.

BB."DEFAULT PROOF CREDIT CARD SYSTEM INC. ANNOUNCES TIMELY COMPLETION OF ITS WEB SITE DOMAIN NAME UBUYDEBITCARDS.COM-PATENT PENDING", Business Wire, Tuesday March 23, 1999.

CC. "DEFAULT PROOF CREDIT CARD SYSTEM INC. NAMES NEW PRESIDENT AND CFO", Business Wire, Monday June 28, 1999.

DD. "DEFAULT PROOF CREDIT COMPANY PROFILE",
<http://members.aol.com/dpccsystem/>, Download Date: October 7, 1999.

EE."CURTREM.COM- NEED A CREDIT CARD OR LOWER RATES?",
<http://www.curtrem.com/unsec3a.htm>, Download date: October 14, 1999.

1. [] Any copy of the items listed above and on the enclosed copy of Form PTO-1449 that is not enclosed with this Information Disclosure Statement was previously cited by or submitted to the Patent and Trademark Office in the prior [] Continuation, [] Divisional or [] Continuation in part application filed under 37 C.F.R. §§ 1.53 or 1.60, U.S. Serial No. _____, filed _____.
2. [] For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a European Search Report from a counterpart European application is enclosed. Such items are marked as reference letter(s): _____.
3. [] For each of the following items listed above and on the enclosed copy of Form PTO-1449 that is not in the English language, a concise explanation of the relevance of that item is incorporated in the specification of the above-identified application. Such items are marked as reference letter(s): _____.
4. [] In addition to the citations listed above, applicants respectfully direct the Examiner's attention to the following U.S. patent applications, which are commonly assigned to the assignee of the instant application, and which may be deemed pertinent to the instant application:

<u>Serial No.</u>	<u>Inventors</u>	<u>Filing Date</u>	<u>Group Art Unit</u>	<u>Examiner's Init.</u>
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The Examiner is respectfully requested to fully consider and independently ascertain the teachings and relevance of those applications with respect to the instant application.

5. [X] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with:
 - [X] 37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
 - [] 37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491.
 - [] 37 C.F.R. §1.97(b)(3), before the mailing date of a first Office Action on the merits.

6. [] No fee is believed to be due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. 1.97(c), after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action), and is accompanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below.

7. [] A fee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(c) after the period specified in paragraph 5 above but before the mailing date of a final action or a Notice of Allowance (where there has been no prior final action). The fee due under 37 C.F.R. §1.17(p) is to be paid as set forth in paragraph 11 below.

8. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in accordance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a Notice of Allowance, but before the payment of the issue fee, and is accompanied by:

- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 10 below; and
- b. this document is to be considered as a petition requesting consideration of the information disclosure statement.
- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 11 below.

9. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:

- [] 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition to Withdraw Application from Issue;
- [] 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition to Withdraw Application from Issue.
- [] The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 11 below.

10. [] I hereby certify:

- [] that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing

of this Information Disclosure Statement. A copy of such communication is enclosed.

[] that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

11. [] Please accept payment of the fees due as indicated below:

[] A check in the amount of \$240.00 is enclosed in payment of the fee due under 37 C.F.R. 1.17(p).

[] The Commissioner is hereby authorized to charge \$240.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(p). A duplicate copy of this sheet is attached for such purpose

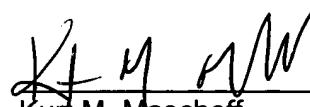
[] A check in the amount of \$130.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(i)(1).

[] The Commissioner is authorized to charge \$130.00 to Deposit Account No. 50-0271 in payment of the fee due under 37 C.F.R. §1.17(i)(1). A duplicate copy of this sheet is attached.

12. [X] The Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0271. A copy of this authorization is attached.

Respectfully submitted,

March 28, 2000
Date



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